

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 192 of 2007

BAL BHARTI SANSTHAN & ANR.
V/S
SMT.SUDHA BHARGAVA & ORS.

Mr. SAJJAN SINGH, for the appellant / petitioner

Mr. SRIKANT VERMA, Mr. JAGDISH VYAS & Mr. PS RATHORE,
for the respondent

Date of Order : 10.10.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner, perused the impugned order.

Learned counsel relied upon a judgment of this Court in Adarsh Vidhya Mandir Samiti, Bharatpur & Anr. Vs. Dharmpal Sharma reported in 2004(3) RLW (Raj.) 1852 to contend that such a suit for injunction is not maintainable.

In my view, the facts in Adarsh Vidhya Mandir Samiti's case were entirely different, inasmuch as, in that case the relief claimed was for injunction seeking a direction to restrain the plaintiff from terminating the services and for a direction to regularise them, while in the present case, no such relief has been claimed. Here the plaintiffs come with a case that despite being continued as employee, they are not being allowed to work, it is not the case that they are seeking any injunction against any

contemplated or apprehended removal from service. In such circumstances, the judgment in Adarsh Vidhya Mandir Samiti's case does not help the petitioner.

Learned counsel read to me the entire plaint, in my view, none of the reliefs claimed in the plaint fall within Section 18 or Section 10 of the Rajasthan Non-Government Educational Institutions Act, as such, I do not find any ground to interfere with the impugned order.

The revision petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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